

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

TROY LUMPKIN,

Plaintiff,

v.

JASON BUNTING, WARDEN,

Defendant.

Case No. 2:11-cv-962

JUDGE GREGORY L. FROST

Magistrate Judge Mark R. Abel

**ORDER**

This matter is before the Court for consideration of the Magistrate Judge's October 10, 2013 Report and Recommendation. (ECF No. 16.) In that filing, the Magistrate Judge recommended that the Court **DISMISS** this habeas corpus action. The Magistrate Judge explained that all of Petitioner's claims are procedurally defaulted. The Report and Recommendation also advised the parties that the failure to object within fourteen days would "result in a waiver of the right to have the district judge review the *Report and Recommendation de novo*, and also operates as a waiver of the right to appeal the decision of the District Court adopting the *Report and Recommendation*." (*Id.* at Page ID # 704.)

The Court has reviewed the Report and Recommendation. Noting that no objections have been filed, that the time for filing such objections has expired, and that the Magistrate Judge's reasoning is correct, the Court **ADOPTS** the Report and Recommendation and **DISMISSES** Petitioner's action. The Clerk shall enter judgment accordingly and terminate this case on the docket records of the United States District Court for the Southern District of Ohio,

Eastern Division.

**IT IS SO ORDERED.**

/s/ Gregory L. Frost  
GREGORY L. FROST  
UNITED STATES DISTRICT JUDGE